EROSION AND SEDIMENT CONTROL PLAN ISSUES

EASTERN CAROLINA ENVIRONMENTAL CONFERENCE

MCAS CHERRY POINT

MAY 10, 2012

PAT MCCLAIN, PE
REGIONAL ENGINEER

TOPICS

- Financial Responsibility form

- Land-Owner Authorization

- Self-Inspection

- New Construction Stormwater permit v. SPCA

Financial Responsibility form

FINANCIAL RESPONSIBILITY/OWNERSHIP FORM
SEDIMENTATION POLLUTION CONTROL ACT

No person may initiate any land-disturbing activity on one or more acres as covered by the Act before this form and an acceptable erosion and sedimentation control plan have been completed and approved by the Land Quality Section, N.C. Department of Environment and Natural Resources. (Please type or print and, if the question is not applicable or the e-mail and/or fax information unavailable, place N/A in the blank.

Part A.

1. Project Name_____

Location of land-disturbing activity: County_____ City or Township_____

Highway/Street_____ River Basin: _____

Latitude N_____ Longitude W_____ Datum: _____
(Lat and Long given to **4 decimal places** ir XX.xxxx N, -YY.yyyy W. not XX xx'xx" N, -YY yy' yy" W)

9. Landowner(s) of Record (attach accompanied page to list additional owners):

_____ _____ _____
Name Telephone Fax Number

_____ _____
Current Mailing Address Current Street Address

_____ _____
City State Zip City State Zip

10. Deed Book No._____ Page No._____ Provide a copy of the most current deed.

Financial Responsibility form

Part B.

1. Individual(s) or Legal Entity(s) who are financially responsible for the land-disturbing activity (Provide a comprehensive list of all responsible parties on an attached sheet):

_____ _____

Name E-mail Address

_____ _____

Current Mailing Address Current Street Address

_____ _____

City State Zip City State Zip

Telephone: _____ Fax Number: _____

Financial Responsibility form

The above information is true and correct to the best of my knowledge and belief and was provided by me under oath (This form must be signed by the Financially Responsible Person if an individual or his attorney-in-fact, or if not an individual, by an officer, director, partner, or registered agent with the authority to execute instruments for the Financially Responsible Person). I agree to provide corrected information should there be any change in the information provided herein.

_____ _____

Type or print name Title or Authority

_____ _____

Signature Date

Land-Owner Authorization

- Non-Utility projects

  Must provide written authorization from the landowner to both submit the erosion control plan AND conduct the land-disturbing activity

- Utility projects

  Provide evidence that affected landowners have been notified

Self-Inspection

- In 2006, the Sedimentation Pollution Control Act was amended to require that persons responsible for land-disturbing activities inspect a project after each phase of the project to make sure that the approved erosion and sedimentation control plan is being followed.

- Effective October 1, 2010, persons conducting land-disturbing activities larger than one acre must inspect their project after each phase of the project, and document the inspection in writing.

Self-Inspections

- **What is the goal of the self-inspection program?**

  To make sure that the approved erosion and sedimentation control plan is being followed, including the installation and maintenance of measures, and the provision of ground cover in a timely manner.

- **Who may do the inspections?**

  The landowner, the financially responsible party, or the landowner's or the financially responsible party's agent

Self-Inspection

-What has to be inspected?

All of the erosion and sedimentation control measures, including sedimentation control basins, sedimentation traps, sedimentation ponds, rock dams, temporary diversions, temporary slope drains, rock check dams, sediment fence or barriers, all forms of inlet protection, storm drainage facilities, energy dissipaters, and stabilization methods of open channels must be inspected.

-What else has to be checked?

The need for ground cover should be checked. Temporary or permanent ground cover must be provided on exposed graded slopes and fills within 21 calendar days of the completion of a phase of grading. Permanent ground cover must be provided within 15 working days or 90 calendar days (60 days in HQW zones), whichever term is shorter, upon the completion of construction or development

Self-Inspection

When do the inspections have to be done?

Unlike the NPDES Self-Monitoring Report, the Self-Inspection Report for Land-Disturbing Activity does not have to be weekly. Rather, this report is completed after each phase of the approved erosion and sedimentation control plan is complete. Not every project will have all the possible phases, but the list of phases includes the following:

- Installation of perimeter erosion and sediment control measures;
- Clearing and grubbing of existing ground cover;
- Completion of any phase of grading of slopes or fills;
- Installation of storm drainage facilities;
- Completion of construction or development;
- Establishment of permanent ground cover sufficient to restrain erosion.

Self-Inspection

Does it require a special form?

A “Self-Inspection Report for Land Disturbing Activity” is available for downloading on the Land Quality website (portal.ncdenr.org/web/lr/erosion). It can be completed by hand or completed as an Excel spreadsheet. An alternative is to make notations on the copy of the approved erosion and sedimentation control plan that is kept on the project site.

Self-Inspection Form

SELF-INSPECTION REPORT FOR LAND DISTURBING ACTIVITY AS REQUIRED BY NCGS 113A-54.1

PROJECT NAME:	**PROJECT NO.:**
NAME OF INSPECTOR:	**AFFILIATION*:** (*Landowner, Financially Responsible Party or Agent)
ADDRESS OF INSPECTOR:	
TELEPHONE NUMBER:	
Signature: (Landowner, Financially Responsible Party or Agent)	**Date:**

Phase of Approved Erosion and Sedimentation Control Plan:	**Mark (X)**
Installation of perimeter erosion and sediment control measures	
Clearing and grubbing of existing ground cover	
Completion of any phase of grading of slopes or fills	
Installation of storm drainage facilities	
Completion of construction or development	
Establishment of permanent ground cover sufficient to restrain erosion	

EROSION AND SEDIMENTATION CONTROL MEASURES INSPECTED:

Name/Number/ Location of Measure (List all measures on Plan)	Measures Installed Since Last Report		Measure Operating Properly (Yes/No)	Significant Deviation from Plan? (Yes/No)	Describe Corrective Actions Needed *
	Proposed Dimensions (feet)	Actual Dimensions (feet)			

* List actions taken to correct deviation or restore sediment damage on "Actions Taken Sheet"

Self-Inspection

How long do you have to inspect?

Once project is complete, inspections are to be done quarterly until a permanent ground cover is established. Notify the approving agency when the permanent ground cover has become established* for release from this obligation.

* permanent vegetative ground cover is generally considered established if it is viable following one complete growing season.

New Construction Stormwater Permit

Ground Stabilization

Site Area Description	Stabilization Time Frame	Stabilization Time Frame Exceptions
Perimeter dikes, swales	7 days	none
swales, ditches and slopes		
High Quality Water (HQW) Zones	7 days	none
Slopes steeper than 3:1	7 days	If slopes are 10’ or less in length and are not steeper than 2:1, 14 days are allowed
Slopes 3:1 or flatter	14 days	7-days for slopes greater than 50 feet in length
All other areas with slopes flatter than 4:1	14 days	None (except for perimeters and HQW Zones)

- NOTE: “Extensions of time may be approved by the permitting authority based on weather or other site-specific conditions that make compliance impracticable.” (Section II.B(2)(b))

Sedimentation Act (SPCA)

- Ground Cover
- On cut and/or filled slopes

within 21 calendar days after completion of any phase of grading.

Other areas:

Within shorter of 15 working or 90 calendar days (60 days in HQW Zones) of completion of construction or development

New Construction Stormwater Permit

Sediment Basins/Traps

- Outlet structures must withdraw from basin surface unless drainage area is less than 1 acre.

NOTE: We are interpreting this as the last measure within a drainage basin, prior to discharge off the project site.

Sedimentation Act (SPCA)

- **Sediment Basins:**
- Max. drainage area – 100 acres
- Sediment storage – 1800 cu. ft./disturbed ac.
- Has a skimmer attached to bottom of riser.
- Dewaters in min. of 24 hours

- **Sediment Traps:**
- Max. drainage area – 5 acres
- Sediment storage – 3600 cu. ft./ disturbed ac.
- Stone Spillway with a weir

NPDES vs. SPCA

- If E & S plan complies with the Sediment Act, but does not comply with the NPDES requirements, we cannot include a copy of the NCG010000 permit. The project is not to start without coverage of the NPDES permit.
- Choices are:
  - Revise E & S plan to meet NPDES requirements
  - Apply to Division of Water Quality for an individual permit

Contact Information

Washington Regional Office (252) 946-6481

Pat McClain <pat.mcclain@ncdenr.gov>

DENR Regional Offices

http://portal.ncdenr.org/web/guest/regional-offices

Land Quality Central Office (919) 707-9220

http://portal.ncdenr.org/web/lr/land-quality

Forms & links to other sites

http://portal.ncdent.org/web/lr/erosion

Questions?